# FISCAL MEMORANDUM

# SB 3428 – HB 3659

March 29, 2010

**SUMMARY OF AMENDMENT (015202):** Rewrites the language of the original bill. Authorizes municipalities to appoint administrative hearing officers to hear building and property maintenance code violations. Authorizes fines up to $500. Under current law these hearings are held in municipal court and fines are up to $50. Requires officers to complete an initial training program conducted by the Municipal Technical Advisory Service (MTAS) within six months of appointment and to complete six hours of continuing education in subsequent years. The curriculum is to be developed by MTAS with input from the Secretary of State's office.

FISCAL IMPACT OF ORIGINAL BILL:

    Increase State Revenue – Not Significant
    Increase State Expenditures – Not Significant

    Increase Local Revenue – Exceeds $10,000/Permissive
    Increase Local Expenditures – Exceeds $100,000/Permissive

## FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

**Unchanged from the original fiscal note.**

Assumptions applied to amendment:

- Local governments that choose to appoint administrative hearing officers may experience an increase in revenue if higher fines are assessed. This increase is estimated to exceed $10,000.
- Local governments that choose to appoint administrative hearing officers will experience an increase in local expenditures for salary, benefits, office space, MTAS training, and supplies. This increase is estimated to exceed $100,000.

- Local governments may also experience an increase in expenditures for officer training which will be provided by MTAS. MTAS estimates the cost to conduct the training will be covered by fees charged. Any increase in state revenue and state expenditures is estimated to be not significant and is dependent upon local governments choosing to appoint an officer.

## CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

James W. White, Executive Director

/kmc